

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA)
)
v.) CASE NO. 2:21-cr-49-MHT-JTA
)
THOMAS MICHAEL SISK)

ORDER

On March 30, 2020, Chief United States District Judge Emily C. Marks entered a General Order finding, pursuant to § 15002(b)(2) of the Coronavirus Aid, Relief, and Economic Security Act, H.R. 748 (the CARES Act), that “felony pleas cannot be conducted in person and in court without serious jeopardy to public health and safety.” General Order, *In Re: Criminal Proceedings by Video or Audio Conference*, Civ. Misc. No. 2:20-mc-3910-ECM (M.D. Ala. Mar. 30, 2020), Doc. No. 4.¹ Consequently, “if judges in individual cases find, for specific reasons, that felony pleas . . . in those cases cannot be further delayed without serious harm to the interests of justice, judges may, with the consent of the defendant . . . after consultation with counsel, conduct those proceedings by video conference.” *Id.* at 1-2.

This case is set for a change of plea hearing by video teleconference on **April 8, 2021 at 2:00 p.m.** If, after consultation with his attorney, the defendant desires to proceed with the hearing by video teleconference, he must provide written notice to the court of the

¹ Chief Judge Marks has entered orders extending this General Order for an additional ninety days. *See* Civ. Misc. No. 2:20-mc-3910-ECM, Docs. No. 8, 9, 10, 11.

same. If defendant declines to proceed with the change of plea hearing by video teleconference, and desires the court take his guilty plea with him present in person, the court will delay the hearing until such time the hearing can be held safely with the defendant present in person and in court. Accordingly, it is hereby

ORDERED that on or before **April 5, 2021 at noon**, the defendant shall file a written notice stating whether he desires to proceed with the change of plea hearing by video teleconference. If the defendant desires to proceed by video teleconference, the written notice also must state (1) his consent to enter his plea before a Magistrate Judge, (2) his consent to the change of plea hearing proceeding by video teleconference, and (3) a reason that the change of plea hearing cannot be delayed without serious harm to the interests of justice.

DONE, this 18th day of March, 2021.

/s/ Jerusha T. Adams
JERUSHA T. ADAMS
UNITED STATES MAGISTRATE JUDGE